



**International Association of  
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In the Matter of )  
)  
Advanced Television Systems and Their )  
Impact Upon Existing Television )  
Broadcast Service )

MM Docket No. 87-268

**RECEIVED**

**NOV 22 1996**

**FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY**

To: Federal Communications Commission

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The International Association of Chiefs of Police (IACP), an organization of more than 14,000 professional law enforcement administrators responsible for the administration of law enforcement agencies worldwide, provides these comments on the FCC's plan to provide for the transition to digital broadcast television technologies.

This proceeding was initiated almost 10 years ago partially to offset FCC proposals to expand spectrum sharing opportunities between the UHF-TV service and land mobile service.<sup>1</sup> Since the FCC's sharing proposals were stalled in the late 1980's, the spectrum needs of the private land mobile radio services, in particular public safety agencies, have not been adequately addressed. The few spectrum allocations that have ensued have lacked the critical mass necessary to significantly reduce the spectrum congestion cited by the Commission back in 1985 nor have they fundamentally solved

<sup>1</sup> See Notice of Proposed Rule Making, Gen Docket No. 85-172, 50 Fed Reg 25587 (1985). See Also, "How Does This Book End," Broadcasting & Cable, p. 20 (November 4, 1996) which discusses the origins of the efforts of television broadcasters to prevent the FCC from relocating unused TV channels to land mobile by quoting one official as stating "Why don't we tell them we need all that extra spectrum for high-definition television."

the inability of public safety agencies to adequately communicate with each other in times of emergencies.

Today, this shortage of spectrum and the inability to interoperate has created a public safety communications crisis affecting the ability of law enforcement officials to adequately discharge their duties. Recognizing this fact, in 1993 Congress directed the FCC and the NTIA to develop a specific plan to ensure that adequate frequencies are available for public safety agencies. That direction ultimately led to the creation of the Public Safety Wireless Advisory Committee (PSWAC) to provide advice to the FCC and the NTIA on the specific wireless communications requirements of public safety agencies through the year 2010.

The Final Report of the PSWAC advisory committee was submitted to the FCC on September 11, 1996, and incorporated into the record of WT Docket No. 96-86. Of particular relevance here, the Final Report provides the fundamental recommendation that "More spectrum is required" and specifically cites the need for:<sup>2</sup>

1. Immediately, 2.5 MHZ of spectrum for interoperability from new or existing public safety allocations.
2. Within 5 years, approximately 25 MHZ of new Public Safety allocations are needed.
3. Over the next 15 years, as much as an additional 70 MHZ of spectrum will be required.

The PSWAC committee enlisted the assistance of an impressive list of both Federal and non-Federal public safety users, consultants, government policy makers and manufacturers to develop a definitive analysis on the state of public safety communications. Of course, IACP strongly urges the FCC and the NTIA to take whatever steps necessary to enact the recommendations of the Committee. IACP recognizes, however, the difficulty in locating an additional 95 MHZ of spectrum allocations for land mobile service given the congestion in all bands below 1 GHz. To that end, it is imperative for the Commission to remain vigilant and creative in its spectrum management role and to not prematurely foreclose spectrum opportunities if it is to satisfy these critical needs.

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<sup>2</sup> Final Report of the Public Safety Wireless Advisory Committee at 3.

Therefore, IACP strongly urges the FCC to focus on digital TV allotment policies that protect portions of the UHF-TV broadcast spectrum for reallocation to the public safety services. In particular, given its proximity to existing public safety allocations, spectrum now occupied by channels 60-69 provide the best chance for a meaningful solution to the spectrum congestion that now plagues the public safety community. Through this proceeding, DTV allotments on these channels should be limited, or restricted altogether, to minimize the impact of reallocating this spectrum on the broadcasting service.

The critical point, however, is that the Commission must prioritize this matter now and not defer its analysis of the needs of land mobile until after the DTV allotment plan is finalized. The FCC must balance the public interest considerations of providing spectrum for public safety agencies while adopting adequate (not optimum) interference and coverage criteria for digital TV. If a minor reduction in television protection standards results in fewer assignments in TV channels 60-69, the Commission is obligated to consider that information and its impact on the protection of American citizens.

In addition, critical law enforcement activities are now conducted in 11 major markets on UHF-TV channels 14-20 (470-512 MHz). Law enforcement agencies in New York City and southern Los Angeles in particular are heavily concentrated on these channels. In adopting assignment criteria for digital television stations, it is imperative that the FCC maintain the existing co-channel and adjacent channel protection to land mobile from broadcast stations (both analog and digital). Also, increased opportunities for further sharing should be explored.

Many federal, state, and local law enforcement organizations currently operate their communication systems in the VHF band (138-174 MHz), with a considerable investment in the established infrastructure, the commission in its deliberations on the establishment of the core area DTV should consider shifting the entire core area upward by one channel (174 MHz-180 MHz) and thus provide some immediate relief to state and local public safety agencies currently impacted by spectrum shortages in the VHF area.

In conclusion, the IACP urges the FCC to take no action in this proceeding that undermines efforts to reallocate portions of the UHF band for public safety services. With strong leadership and solid engineering, the FCC can provide the spectrum for the massive conversion to DTV while reducing the critical shortage of spectrum available for public safety.

A handwritten signature in cursive script, reading "Darrell L. Sanders". The signature is written in black ink and is positioned above the printed name.

Darrell L. Sanders  
President  
IACP

A handwritten signature in cursive script, reading "Harlin R. McEwen". The signature is written in black ink and is positioned above the printed name.

Harlin R. McEwen  
Chair, Communications Committee  
IACP

November 22, 1996